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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,258	10/11/2005	Tetsuyoshi Nakata	2271/75303	1685
23432 7590 05/19/2009 COOPER & DUNHAM, LLP 30 Rockefeller Plaza 20th Floor NEW YORK, NY 10112			EXAMINER HUFFMAN, JILLAND	
			ART UNIT 2853	PAPER NUMBER
			MAIL DATE 05/19/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/553,258

**Applicant(s)**

NAKATA ET AL.

**Examiner**

Julian D. Huffman

**Art Unit**

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) 1-30 and 38 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 31-37 and 39-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-850)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date See Continuation Sheet

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :2/5/09, 10/14/08, 10/10/08, 6/6/08, 3/11/08, 11/15/07, 11/5/07(1), 11/5/07(2), 8/10/07, 1/8/07, 6/13/06, 10/11/05.

## **DETAILED ACTION**

### ***Election/Restrictions***

Claims 1-30 and 38 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species/invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 11 March 2009.

It is noted that claim 38 was indicated by applicant as readable on the elected species, however, claim 38 refers to the state detector provided on each side of the carriage, which is distinct from the embodiment of species 6d, fig. 44. Therefore claim 38 is withdrawn.

Claims 31-37 and 39-44 will be examined.

### ***Claim Objections***

Claim 39 is objected to because of the following informalities:

In claim 39, line 8, min-scanning should be changed to main-scanning.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 31, 32 and 34-36 are rejected under 35 U.S.C. 102(a) and 102(b) as being anticipated by Sugimura (JP 2003-53953, cited by applicant, see also attached machine translation).**

Sugimura discloses:

With regards to claim 31, an image forming apparatus (fig. 8) comprising:

a carriage (203) having a recording head (101) that ejects droplets of liquid onto a recording medium for forming an image on the recording medium; and

a state detector (20) that detects presence of the recording medium along a moving line of said carriage, wherein when moving said carriage in a main-scanning direction to perform a printing operation, a part of the printing operation is cancelled after said state detector detects non-presence of the recording medium [0012].

With regards to claim 32, the image forming apparatus as claimed in claim 31, wherein said state detector is provided on an upstream side of said carriage in the main-scanning direction so as to cancel the part of the printing operation in the main-scanning direction after a position where non-presence of the recording medium is detected by said state detector in an initial scanning of said carriage for printing (fig. 8).

With regards to claim 34, the image forming apparatus as claimed in claim 31, wherein a plurality of heads are provided in the recording head so as to eject droplets in a plurality of colors by being arranged in the main-scanning direction, and the main-scanning of said carriage is continued after non-presence of the recording medium is detected by said state detector so as to cancel a printing operation of each of the heads step-by-step while moving the carriage in the main-scanning direction (figs. 3, 4, **8**, [0034], [0050], **[0067]**).

With regards to claim 35, the image forming apparatus as claimed in claim 34, wherein an amount of movement of said carriage in the main-scanning direction and cancellation of the printing operations of the heads step-by-step are controlled, after the non-presence of the recording paper is detected, in accordance with information regarding an adjustment value of intervals between the heads (dn, [0067]).

With regards to claim 36, the image forming apparatus as claimed in claim 31, wherein a plurality of nozzle trains are provided in the recording head so as to eject droplets in a plurality of colors by being arranged in the main-scanning direction, and the main-scanning of said carriage is continued after non-presence of the recording medium is detected by said state detector so as to cancel a printing operation of each of the nozzle trains step-by-step while moving the carriage in the main-scanning direction (fig. 8, [0067]).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 33, 37 and 39-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugimura.**

Sugimura discloses:

With regards to claim 40, (the image forming apparatus as claimed in claim 39), wherein a plurality of heads are provided in the recording head so as to eject droplets in a plurality of colors by being arranged in the main-scanning direction, and the main-scanning of said carriage is continued beyond the edge of the recording medium detected by said state detector so as to cancel the printing operation of the heads step-by-step (fig. 8, [0067]).

With regards to claim 41, (the image forming apparatus as claimed in claim 40), wherein an amount of movement of said carriage in the main-scanning direction and cancellation of the printing operations of the heads step-by-step are controlled, after each of said heads passes the edge of the recording medium, in accordance with information regarding an adjustment value of intervals between the heads (dn, fig. 8, [0067]).

With regards to claim 42, (the image forming apparatus as claimed in claim 39), wherein a plurality of nozzle trains are provided in the recording head so as to eject

droplets in a plurality of colors by being arranged in the main-scanning direction, and the main-scanning of said carriage is continued beyond the edge of the recording medium detected by said state detector so as to cancel the printing operation of the nozzle trains step-by-step (fig. 8, [0067]).

With regards to claim 43, the image forming apparatus as claimed in claim 39, wherein said state detector is provided at a position corresponding to the nozzle train closest to an edge off said recording head in the main-scanning direction (fig. 8).

With regards to claims 33 and 39, Sugimura discloses everything claimed with the exception of detecting the recording medium for each main-scanning. Sugimura states that the detection is performed "for every several scans" [0067].

However, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Sugimura so as to perform the detection for each scan for the purpose of more accurately detecting the skew of the print medium [0021].

With regards to claim 37, Sugimura does not disclose bidirectional printing and when a part of the printing operation in one direction is cancelled, a part of the printing operation corresponding to an area where the printing operation is cancelled in the one direction is also cancelled in the printing operation in the other direction.

However the examiner takes official notice that bi-directional printing is well known in the art.

It would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate bidirectional printing in Sugimura and to control the device such that when a part of the printing operation in one direction is cancelled, a part of the



printing operation corresponding to an area where the printing operation is cancelled in one direction is also cancelled in the printing direction in the other direction so as to improve the printing speed while preventing ink from staining the printing device.

One of ordinary skill in the art, in incorporating bidirectional printing into Sugimura, would have utilized the detection results to control printing in both directions by simple modifications so as to continue to realize the benefits of Sugimura with the added benefit of bidirectional printing.

**Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugimura in view of Maki et al. (U.S. 20020126193).**

With regards to claim 44, Sugimura does not disclose an electrostatic conveyance belt conveying the printing medium.

However, Maki et al. discloses an electrostatic conveyance belt (abstract).

It would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate an electrostatic belt feeder into Sugimura for the purpose of more stably conveying the printing medium.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian D. Huffman whose telephone number is (571) 272-2147. The examiner can normally be reached on 10:00a.m.-6:30p.m. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Julian D. Huffman/  
Primary Examiner, Art Unit 2853